

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	Crim. No. 1:09-CR-319
	:	
	:	
v.	:	
	:	
	:	
SEAN N. HEALY	:	Judge Sylvia H. Rambo

**ORDER**

AND NOW, this 12<sup>th</sup> day of December, 2017, **IT IS HEREBY ORDERED** as follows:

- 1) The motion filed pursuant to Federal Rule of Civil Procedure 60(b) (Doc. 116) is deemed to be a motion filed pursuant to 28 U.S.C. § 2255.
- 2) The claims as to the ineffective assistance of counsel are **DISMISSED WITH PREJUDICE** as this court is without jurisdiction.
- 3) The claims as to errors of this court in the taking of the plea are **DISMISSED WITH PREJUDICE** as not properly before this court and/or **DENIED** on the merits.
- 4) The Clerk of Court is **DIRECTED** to close this file.
- 5) Any appeal from this order is deemed frivolous and not taken in good faith.

s/Sylvia H. Rambo  
SYLVIA H. RAMBO  
United States District Judge